



CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 03/06/01

AGENDA ITEM 7

WORK SESSION ITEM

TO: Mayor and City Council
Redevelopment Agency Board

FROM: Director of Community and Economic Development

SUBJECT: Draft Environmental Impact Report for the Proposed Downtown Hayward Redevelopment Plan Amendment - Mission-Foothill Boulevard Corridor

RECOMMENDATION:

It is recommended that the Council and Redevelopment Agency review and comment on the Draft Environmental Impact Report.

BACKGROUND:

The Agency Board reviewed the Preliminary Report on the proposed Redevelopment Plan Amendment for the Mission-Foothill Boulevard Corridor in January 2001. Copies of the Draft Environmental Impact Report (DEIR) on the proposed Amendment were recently distributed to the Agency/City Council, the Planning Commission and the Hayward Redevelopment Area Committee (HRAC). The Planning Commission is scheduled to review the DEIR on March 8, 2001, and the HRAC will discuss the DEIR on March 14, 2001.

DRAFT ENVIRONMENTAL IMPACT REPORT:

The Redevelopment Agency of the City of Hayward is proposing an amendment to the Downtown Hayward Redevelopment Plan in order to expand the existing approximately 610-acre Project Area by approximately 700 acres. The proposed added area lies along the Mission Boulevard and Foothill Boulevard corridors both north and south of the existing Project Area, extending to the northern and southern City limits. Please refer to the attached map and the discussion below pertaining to the proposed change to the Amendment Area boundaries.

The Draft EIR is intended to serve as a public disclosure document that identifies those environmental impacts associated with the proposed project, identifies possible mitigation measures that could minimize or eliminate identified significant adverse impacts, and identifies and evaluates a range of reasonable alternatives to the proposed project.

The Draft EIR is a Program EIR and is not project specific. Program EIRs are used to describe the foreseeable, general impacts of a plan or program. This is different than a project environmental review, which is used to identify the specific and quantifiable impacts of a development application. Because the Program EIR is based on a broad outline of what changes

may occur, it can only provide a broad-brush, cumulative analysis of possible impacts and mitigations. It does, however, provide decision-makers with a picture of the likely parameters of issues that will be encountered upon adoption of the plan. Site-specific impacts of future projects that implement the plan can only be analyzed in greater detail once the exact nature of the project is known. These may include specific analyses of issues such as traffic, air quality, hazmat or cultural and aesthetic qualities of a development project. The use of a Program EIR frequently, but not always, allows site-specific environmental review to be conducted more quickly and efficiently. In many cases, projects can rely on the Program EIR discussion and be approved based on a Mitigated Negative Declaration or require only one or two additional focused studies.

The various environmental impact analyses in the Draft EIR are based on the assumption that the anticipated combination of project actions will be successful in stimulating improved economic development and, as a result, the expanded project area could be expected to reach the full level of development permitted under the City's General Plan. The General Plan and EIR anticipate approximately 1,205 new households in the proposed Amendment Area by 2010, primarily in the Mission-Garin and Mission-Foothill area. In addition, employment increases in the Mission-Foothill corridor area are expected to be 2,642 new jobs by 2010.

A summary of the significant impacts and mitigation measures may be found on Attachment B, which is an excerpt from the DEIR. Traffic impacts on some intersections or roadway segments in the proposed Amendment Area are projected to exceed established levels of service by 2020. Because this impact is attributed primarily to background growth in the region, this impact is considered significant and unavoidable. For all mitigation measures identified in the Draft EIR that are adopted as conditions of the Plan Amendment approval, a mitigation monitoring program will be formulated for use in verifying mitigation implementation.

The Draft EIR also discusses three alternatives to the proposed project: 1) a "no project" alternative, in which no expansion area would be established and, therefore, no redevelopment activities would be undertaken in the proposed Amendment Area except for the unincorporated North Foothill area which is currently in an Alameda County redevelopment project; 2) a reduced Amendment Area boundary which would be established by eliminating the proposed unincorporated North Foothill area (the "North Foothill area"); and 3) an enlarged Amendment Area which would be established by including the unincorporated La Vista Quarry area at Mission Boulevard and Tennyson Road (the "La Vista Quarry").

As previously discussed with Council, an amendment to the Preliminary Plan is underway to reflect the exclusion of the unincorporated La Vista Quarry and North Foothill Boulevard areas. The Planning Commission is scheduled to take action on this item on March 8th.

NEXT STEPS:

The Agency Board and Council are being requested to review and comment on the Draft EIR, and to invite input from the public. Copies of the Draft EIR have been forwarded to other public agencies for review and are available to interested parties upon request. The deadline for receipt of comments on the Draft EIR is April 9, 2001. Following this deadline, staff and the

environmental consultants will prepare written responses to those comments and incorporate them in the Final EIR along with any revisions deemed appropriate. The Final EIR is scheduled for consideration by the Planning Commission in May. The Planning Commission will also be requested to review and comment on the Redevelopment Plan Amendment. The joint public hearing of the Redevelopment Agency and the City Council to consider adoption of the Redevelopment Plan Amendment is scheduled for mid-June 2001. Certification of the Final EIR will be considered at that time.

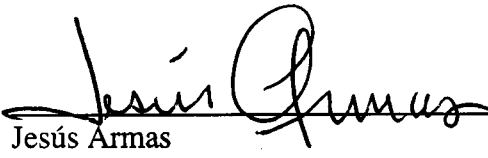
Prepared by:


Maret Bartlett *by SE*
Redevelopment Director

Recommended by:

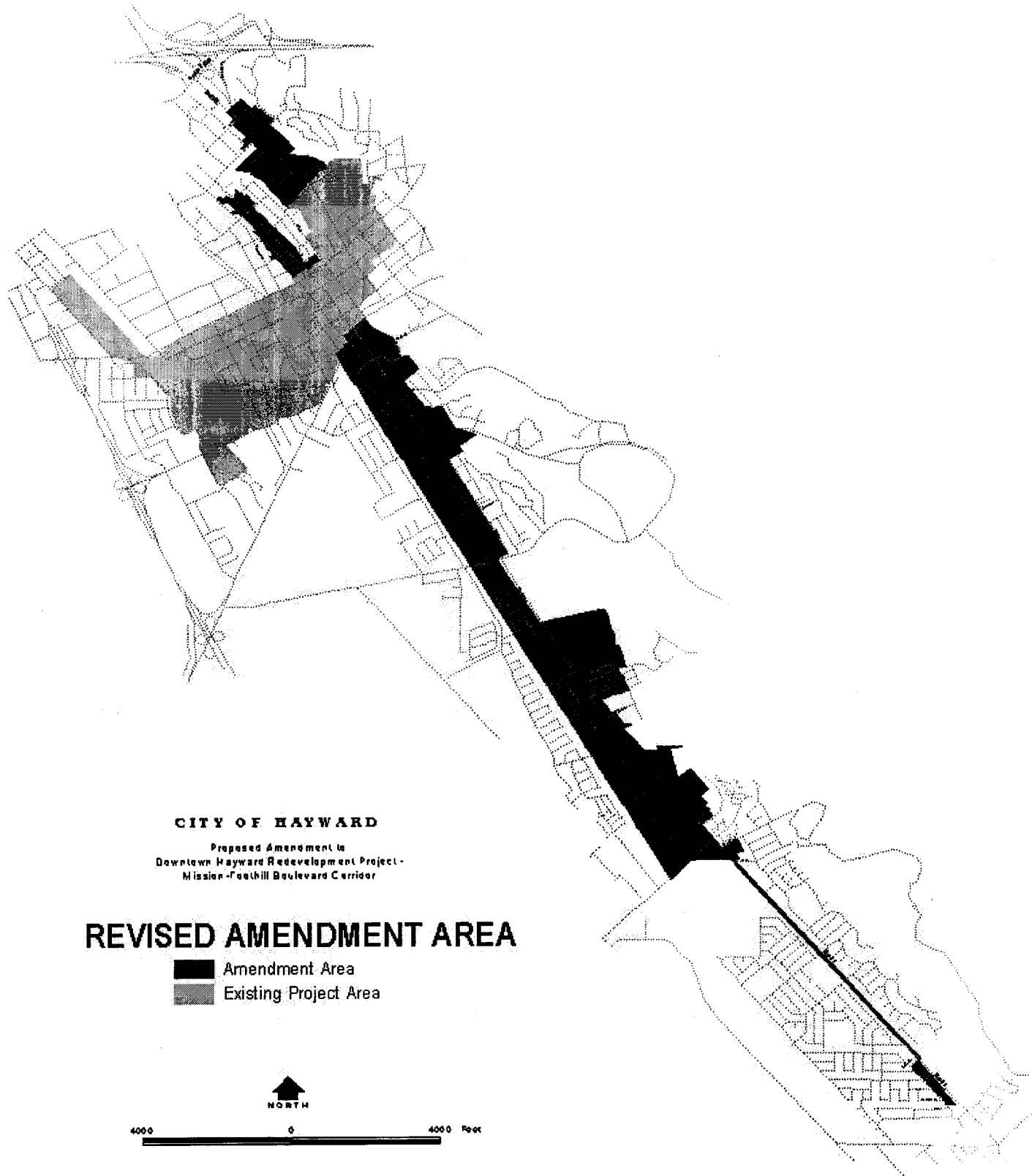

Sylvia Ehrenthal, Director of Community and
Economic Development

Approved by:


Jesús Armas
City Manager

Attachments:

- A. Proposed Redevelopment Amendment Area Map
- B. Summary of the Draft EIR



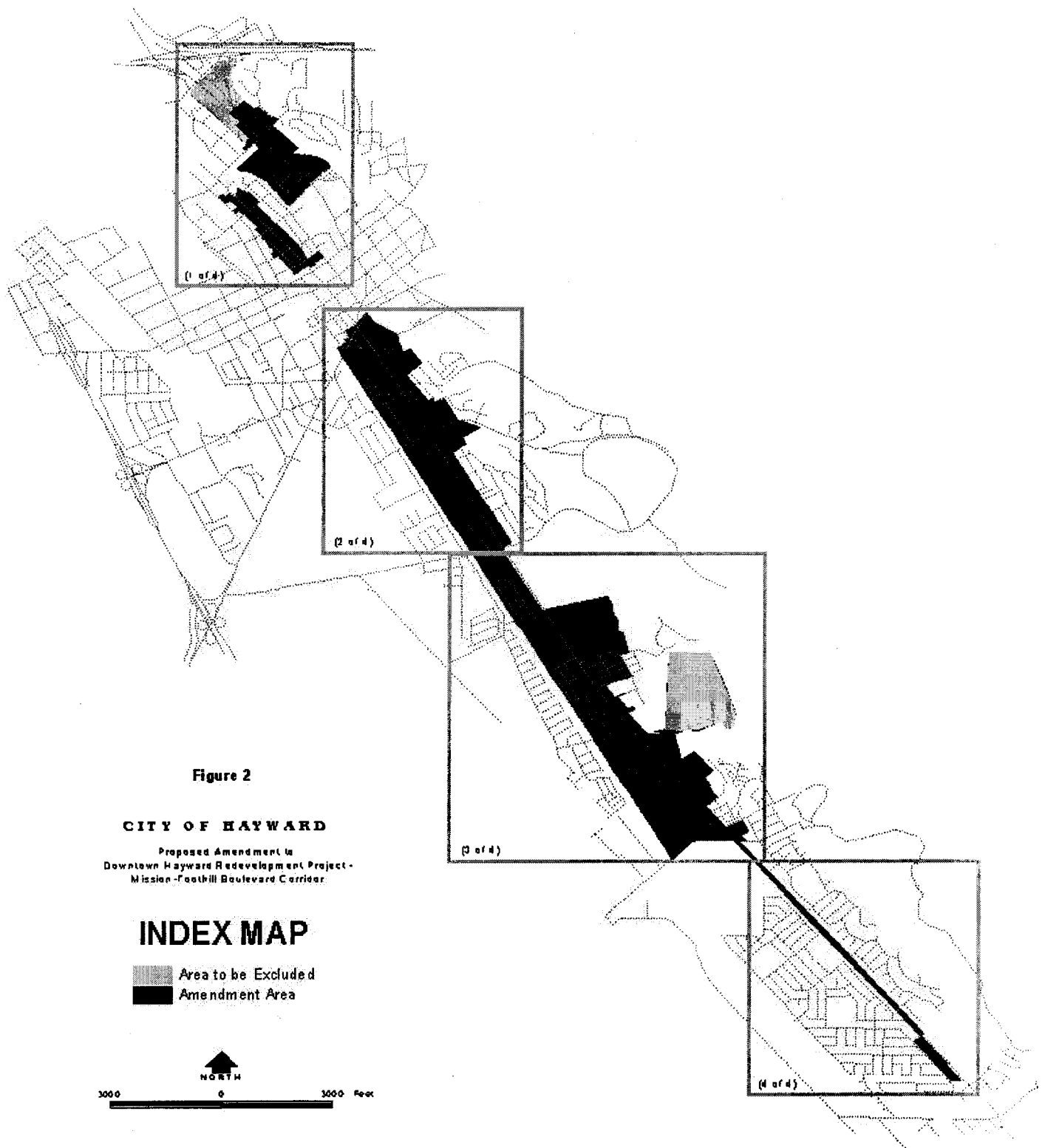


Figure 3

CITY OF HAYWARD

Proposed Amendment to
Downtown Hayward Redevelopment Project -
Mission-Foothill Boulevard Corridor

REVISED AMENDMENT AREA
(1 of 4)

Parcel Base Map
Amendment Area
Area to be excluded

The map displays the city of Hayward with various streets labeled, including Castro Valley, Foothill, Mission, and City Center. A large black area indicates the Amendment Area, while a grey area indicates the Area to be excluded. The map includes a legend, a north arrow, and a scale bar.

NORTH




0 1000 Feet

Figure 4

CITY OF HAYWARD
Proposed Amendment to
Downtown Hayward Redevelopment Project -
Mission-Foothill Boulevard Corridor

REVISED AMENDMENT AREA

(2 of 4)

-  Parcel Base Map
-  Amendment Area
-  Area to be excluded

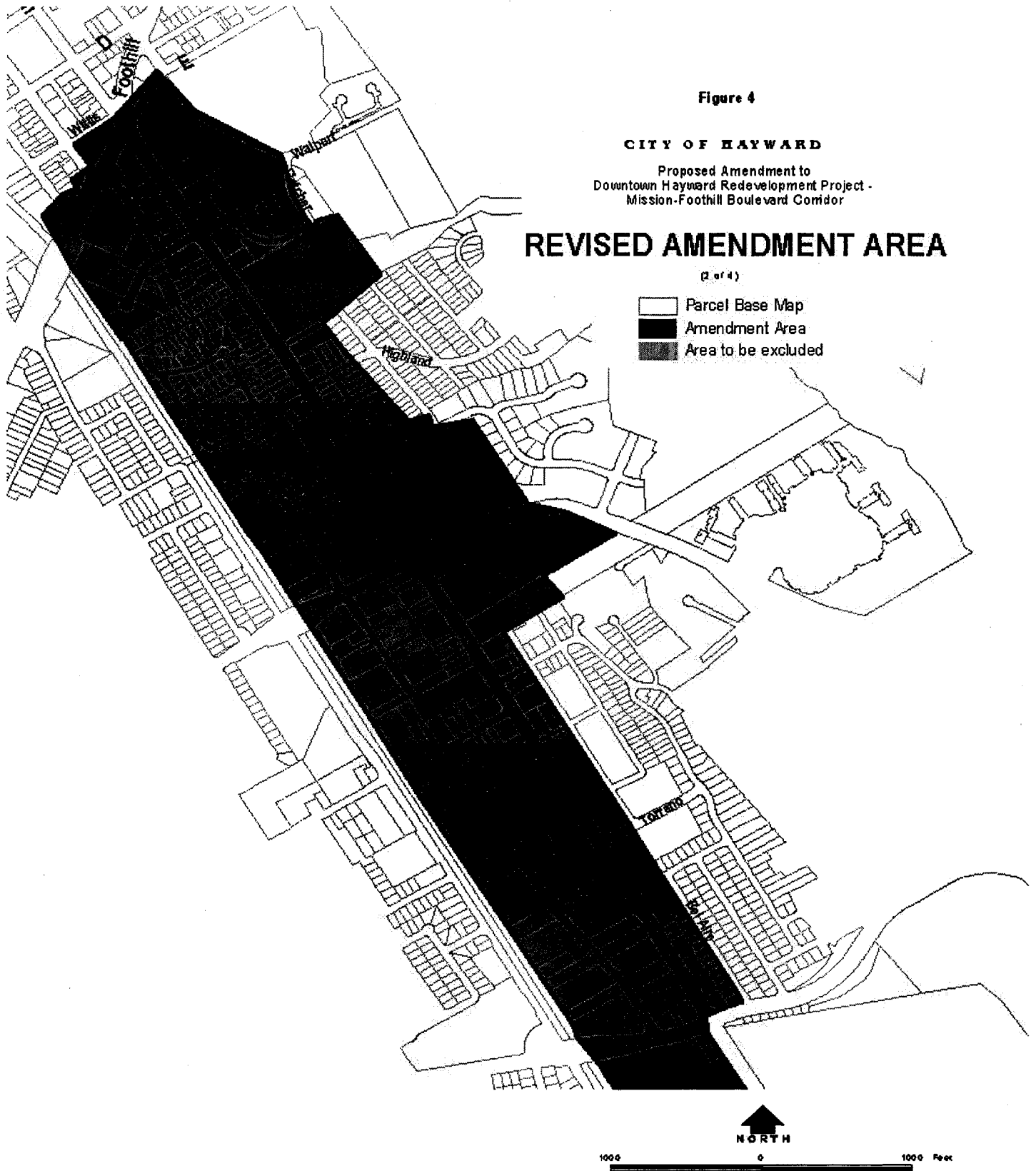





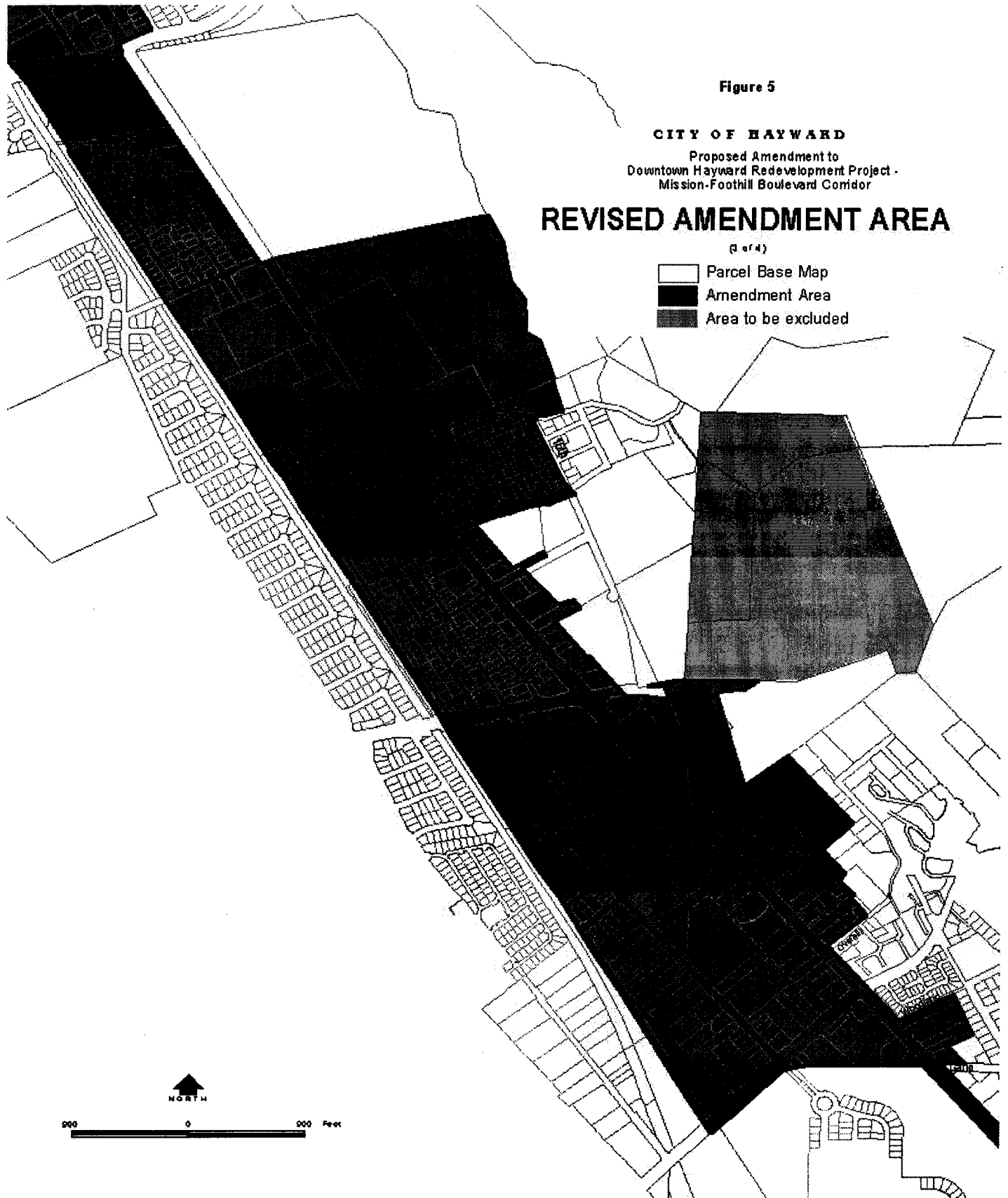
Figure 5

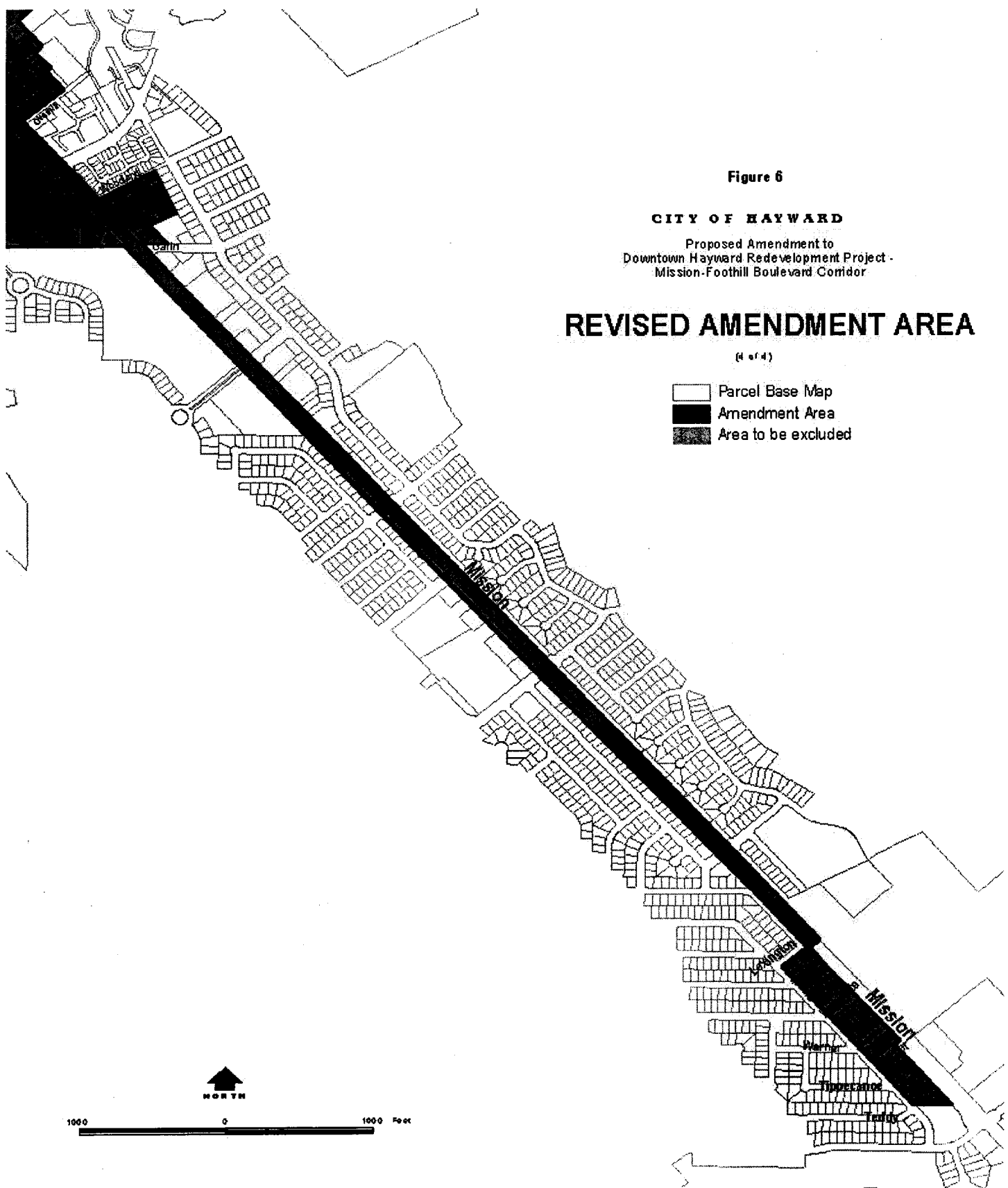
CITY OF HAYWARD
Proposed Amendment to
Downtown Hayward Redevelopment Project -
Mission-Foothill Boulevard Corridor

REVISED AMENDMENT AREA

(2 of 4)

-  Parcel Base Map
-  Amendment Area
-  Area to be excluded





SUMMARY

A. PROPOSED PROJECT

The Amendment to the Downtown Hayward Redevelopment Plan (referred to as the Amendment, Plan or Project) is being prepared and proposed for adoption by the City of Hayward Redevelopment Agency to add territory to the City's existing Downtown Redevelopment Project area. The proposed Amendment Area is located in the City of Hayward, California, which is in western Alameda County in the San Francisco Bay Area, and includes a small portion of the unincorporated territory adjacent to the north of the City limits (referred to as the County Area).

The proposed Plan Amendment would add about 707 acres to the City's existing 610-acre Downtown Hayward Redevelopment Plan Area. The Amendment Area is located along and near the Mission Blvd. and Foothill Blvd. corridors (including approximately 38 acres in the County), extending from Union City on the south to unincorporated Alameda County on the north.

The Plan Amendment Area encompasses 1,695 parcels of land with about 1,553 structures. The Area includes around 2,750 housing units, plus about 350 commercial units, 45 industrial establishments, 12 institutional uses, and public uses located on 145 parcels, most of which are open land and parks. Forty-three parcels are vacant.

The County Area is presently included in a redevelopment plan that was adopted by the Alameda County Redevelopment Agency in July of 2000. Redevelopment law requires that properties can be included in only one redevelopment plan. The City and County are presently negotiating amendments to the County's Plan that would facilitate detachment from the County's Redevelopment Area. If the City and County cannot reach agreement prior to adoption of the City's proposed Amendment, then the County Area would be deleted from the City's final Amendment. Please see Figure 2.1 for a general delineation of the respective areas.

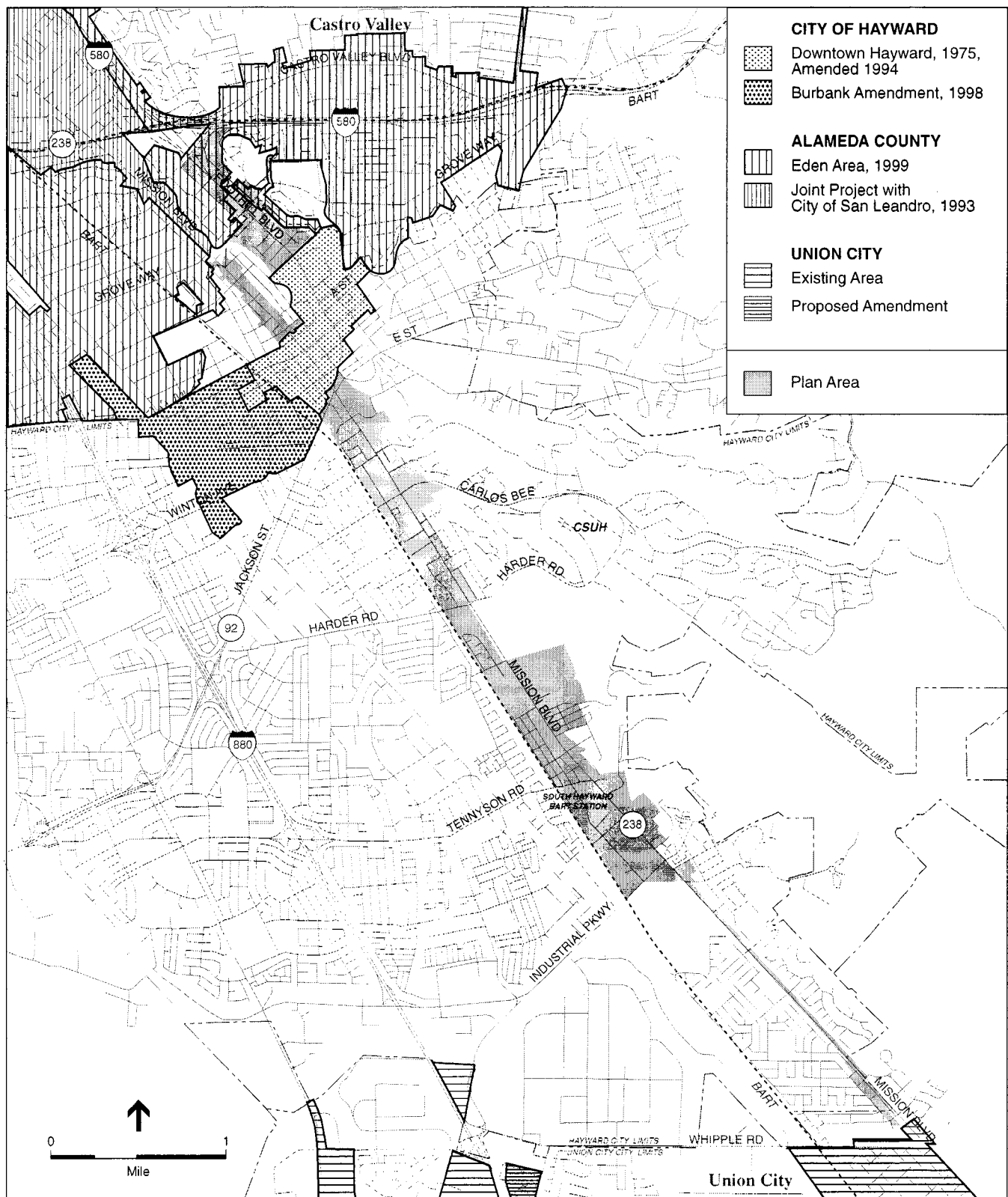


Figure 2.1
Proposed Amendment and
Other Redevelopment Projects

SOURCE: City Hayward, City of San Leandro, Alameda County

In summary, the "project" is the adoption and implementation of an Amendment to the Downtown Redevelopment Plan to add area, specify goals and programs, and establish funding and administration mechanisms that are intended alleviate physical and economic burdens caused by blighted conditions. Redevelopment means the planning, development, replanning, redesign, clearance, reconstruction, or rehabilitation or any combination of these, of all or a part of a survey area, and the provision of those residential, commercial, industrial, public or other structures or spaces as may be appropriate or necessary in the interest of the general welfare.

CEQA establishes that all public and private activities or undertakings pursuant to, or in furtherance of, a redevelopment plan shall be deemed to be a single project. An EIR on a redevelopment plan shall be treated as a program EIR with no subsequent EIRs required for individual components of the redevelopment plan unless a subsequent or a supplement to an EIR would be required by the Statute and Guidelines.

Goals

The following are general goals the Agency is working toward as part of this Amendment:

- Develop attractive entryways to identify neighborhood and City entrances;
- Increase the amount and upgrade the quality of open space, public parks, and recreation and community facilities;
- Support quality affordable and market rate housing;
- Institute a program to improve, establish and upgrade pedestrian amenities, public parking, transit and other circulation improvements along arterials in the project area;
- Attract neighborhood serving commercial uses;
- Install public improvements as needed in neighborhood areas;
- Support commercial developments that increase the revenue base, creates jobs, and serves the needs of the community;
- Seek ways to improve the capacity of auto dealerships by clustering uses, developing common area facilities, and implementing streetscape, signage, and promotional programs;
- Consider a mixed use improvements plan for the South hayward BART Area between Harder and Industrial Parkway.

Potential Implementation Activities and Programs

The Agency will be authorized to plan, design, and construct a variety of improvements to ensure the complete redevelopment of the Amendment Area. Subject to applicable CRL requirements, the following improvements are eligible for redevelopment funds pursuant to the amended Redevelopment Plan:

- Repair/replace/widen/construct streets;
- Repair/replace/construct curbs, gutters, and sidewalks;
- Install signals and other circulation improvements;

SUMMARY

- Synchronize traffic signals;
- Repair/replace/install street lighting;
- Construct medians, improve landscaping, and make other roadway improvements;
- Repair/replace/construct pedestrian amenities;
- Upgrade water system;
- Upgrade sewer system;
- Upgrade flood control facilities;
- Underground utilities;
- Construct ramps and other access improvements to satisfy the requirements of the ADA;
- Improve appearance of the City's gateways, particularly in the northern portion of Foothill Boulevard and Mission Boulevard.

Additional facilities and improvements, altered locations, and other related facilities may be warranted based on changes in circumstances or design. The financing of such related facilities shall be deemed authorized by the Agency. The Agency will be authorized to finance the construction of additional improvements in the Amendment Area or other regional or local regulatory program.

Specific Development Objectives

Development in the Amendment Area will be in conformance with the Redevelopment Plan, General Plan, Neighborhood Plans, and existing or future Specific Plans, and the Zoning Ordinance. The Agency's development objectives involve encouraging the implementation of development and neighborhood preservation in accordance with the General Plan. In doing so, it is the Agency's intent to provide assistance in the following ways:

- The construction of needed public improvements and facilities;
- Various forms of Agency financial assistance, including but not limited to tax exempt financing and financial aid programs for new construction and/or rehabilitation;
- The completion of various planning studies as required to facilitate and coordinate the redevelopment process;
- Rehabilitation or replacement of housing occupied by persons of very low, low or moderate income.

As stated above, the Amendment is intended to be consistent with the General Plan, Neighborhood Plans and the Zoning Ordinance. Overall, changes in land use are expected to be limited to intensification and consolidation of certain commercial uses, residential areas, and mixed use development in focused "change areas." The Amendment Area has been shown to be fully urbanized, and the boundaries have been drawn to include only properties that qualify for redevelopment due to economic and physical blighting influences, that blight is shown to cause a lack of proper utilization and causes a serious

burden on the community, and that burden cannot be reversed by private enterprise, the City, or both acting without the assistance of the Redevelopment Agency.

See **Chapter 3**, Project Description, and the Draft Amendment to the Downtown Hayward Redevelopment Plan (available from the Redevelopment Agency) for more detailed information on the policies, plans, programs and projects being contemplated.

B. IMPACTS AND MITIGATION MEASURES

The analyses in **Chapters 4 through 15** of this document provide a description of the existing setting, potential impacts of implementation of the proposed Plan Amendment, and recommended mitigation measures to reduce or avoid potentially significant impacts that could occur as a result of implementing the Amendment. **Table 2.1** lists a summary statement of each impact and corresponding mitigation measures; the table also lists the level of significance prior to and after mitigation.

Significant impacts (denoted "S" in the table) require the implementation of mitigation measures, or alternatives, or a finding by the Lead or Responsible Agency that the measures are infeasible for specific reasons. Some impacts are listed even though they are considered less than significant ("LS"). These effects would not require mitigation, but measures could be applied to further reduce the effect of the implementation of the Amendment. For some of the Significant Impacts, mitigation measures may not be effective in reducing the impacts to a less than significant level. These impacts are designated Significant Unavoidable ("SU").

Table 2.1
Environmental Impacts and Mitigation Measures

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
LAND USE AND PLANNING			
<p>4.1: Land Use Conversion and Intensification.</p> <p>Implementation of the proposed Redevelopment Plan Amendment could result in increased density and changes in land uses that would result in incompatibilities with existing land uses in and adjacent to the Amendment Area.</p>	S	<p>4.1: Project-Specific Analysis of Land Use Issues</p> <p>The City of Hayward should evaluate new land uses proposed within the Redevelopment Plan Amendment Area for site specific impacts to established land uses in the neighborhood, according to standard Conditional Use Permit, Variance, and Site Plan Review procedures, to determine if, in the short or long term, the new land use is an enhancement to the area's land use patterns and provides offsetting benefits such as improved housing conditions, more economic activity, or better overall operations. The City should also consider whether the new use will be exposed to unacceptable impacts from pre-existing uses that are not likely to phase out in the near future, and whether the new use may impinge on a properly located use such as the quarry prior to its planned closure. Such reviews should continue to occur as part of the public review process, affording residents, property owners and business</p>	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
		operators an opportunity to present relevant information to decision-makers. Conditions of approval that serve to mitigate specific impacts should be required.	
<p>4.2: Physical Division of Established Communities.</p> <p>Some projects which might be implemented under the proposed Redevelopment Plan Amendment could result in changes in existing land use and circulation patterns in portions of the Amendment Area which could result in a physical division of existing neighborhoods or circulation patterns.</p>	S	<p>4.2: Project-Specific Evaluation.</p> <p>Individual projects that involve major changes to circulation patterns for pedestrians and vehicles, for example intersection realignment, a new street, or large scale public land uses should be subject to public review and input, with particular attention paid to the effect on the established community. In addition, project-level environmental review may be required. The City should include appropriate conditions of approval to address the identified impacts of individual projects.</p>	LS
VISUAL QUALITY			
<p>5.1: Obstruction or Substantial Alteration of Vistas and Views</p> <p>Implementation of the Plan Amendment could result in the obstruction of vistas and views from scenic routes, major roadways, and private properties within the Amendment Area.</p>	S	<p>5.1a: Site Plan Review</p> <p>New development within the Amendment Area would continue to be subject to Site Plan Review, Conditional Use Permits, and Variances according to existing zoning procedures. Particular attention to new</p>	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
Intensified development could create barriers to views of the hills, Bay, and other visually attractive areas.		<p>buildings and taller buildings with the potential to be highly noticeable from scenic routes should be required to provide a high degree of design quality. Requests for conditional use permits and variances should continue to be reviewed for view blockage and should be subject to redesign or conditions of approval to mitigate significant impacts.</p> <p>5.1b: Public Project Review</p> <p>Public projects such as roadway widening, curb/gutter/sidewalk, drainage and utilities, and public buildings and open spaces should be planned, designed and reviewed for potential project-specific impacts to scenic resources, such as tree rows and views to the hills. Appropriate mitigation should be incorporated to reduce impacts, including possible redesign or relocation of projects to balance overall community objectives.</p>	
<p>5.2: Substantial Alteration of Visual Character</p> <p>Implementation of the Plan Amendment could result in the alteration of visual characteristics and qualities of the Amendment Area, due to new private development, public infrastructure</p>		<p>5.2: Project Review</p> <p>Private and public projects in the Amendment Area should be subject to Mitigation Measure 5.1, with an emphasis on consistent development patterns, architecturally distinct</p>	

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
development, rehabilitation of existing properties, and related activities. Temporary construction-period activity could present an image of disheveled property, for example due to the storage of materials and equipment. Development could also result in the removal of features considered scenic, such as trees or characteristic buildings.		structures, mature vegetation, and natural open space. The plan Amendment also specifically provides for projects that would protect, restore and enhance historic structures, landscaping, facades, and other visual components, in which case project applicants may be eligible for grants, loans or design assistance. The City should use financing generated by the Amendment to implement measures previously identified in City planning documents as being beneficial to the visual character of the area, particularly roadway and landscaping projects that affect the image of the neighborhoods and the City as a whole.	
<p>5.3: Light and Glare</p> <p>Private development and public projects undertaken to implement the Redevelopment Plan Amendment could result in increased light and glare in the area, due to general development, signage, outdoor lighting, street lighting, reflective materials, and other sources.</p>	S	<p>5.3: Site Plan Review</p> <p>Design review and other discretionary approval for public and private projects within or for the purpose of serving the Amendment Area should include consideration of potential light and glare impacts, and should include shielding and cutoff features for outdoor lighting for neighboring land uses (particularly residences), design revisions, or other means of reducing impacts to the extent feasible.</p>	SU

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
TRANSPORTATION			
<p>6.1: Regional Traffic Growth and Roadway Congestion</p> <p>The amount of traffic in the proposed Amendment Area could be expected to increase as a result of development induced by the Plan, consistent with the existing General Plan land use designations. In some portions of the Area, this could result in traffic levels on some roadway segments or at some intersections which exceed established level of service standards.</p>	S	<p>6.1: Regional Planning, Funding, and Construction</p> <p>The Alameda County Congestion Management Agency has a Capital Improvement Program outlined in the CMP to "maintain or improve the performance of the multimodal transportation system...and to mitigate regional transportation impacts identified through the land use analysis program." Additionally, the City of Hayward requires development projects to contribute towards transportation impact mitigation. Therefore, projects developed as part of the Redevelopment Plan Amendment would be subject to paying their share of costs of necessary improvements to address the cumulative impacts of regional development.</p>	<p>LS for Amendment</p> <p>SU for cumulative</p>
NOISE			
<p>7.1: Construction-Related Noise</p> <p>Construction within the proposed Amendment Area could result in a temporary increase in existing noise levels that would be noticeable and significant, and could exceed established noise level standards.</p>	S	<p>7.1: Construction Noise Abatement</p> <p>The City should require reasonable construction practices for public and private projects that could affect sensitive receptors, including limiting construction hours to avoid early morning and evening activity, muffling and</p>	<p>LS for projects</p> <p>SU for short-term construction</p>

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
		properly maintaining construction equipment used at project sites, limiting the amount of time equipment is allowed to stand idle with the engine running, and shielding construction activity and equipment to the extent practicable.	
<p>7.2: Operational Noise</p> <p>General activity at residential, commercial, public and other facilities could result in an increase in the noise level exposure on sites throughout the Amendment Area.</p>	S	<p>7.2: Project Review, Enforcement and Funding</p> <p>The City of Hayward should continue to review projects for potential impacts (including impacts from existing or planned neighbors on the new use and from the new use on existing or future neighbors) as part of its development review process, and should require mitigating measures such as setbacks, site plan revisions, operational constraints, buffering, and insulation. The City should enforce the provisions of the Noise Ordinance and other applicable codes, utilizing existing resources and Redevelopment Agency resources, as necessary, to reduce the blighting effect of excessive noise.</p>	LS
<p>7.3: Development in Proximity to High Ambient Noise Levels Near Roadways</p> <p>Implementation of the proposed Plan Amendment could lead to new development in areas where the</p>	S	<p>7.3: Project-Specific Noise Analysis/ Abatement</p> <p>The City should require a project-specific review of proposed development projects that are located along a major roadway to determine</p>	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
ambient noise levels are or will be in excess of acceptable levels.		<p>if noise intrusion will be a significant issue for the residents or employees, and should require appropriate measures such as setbacks, soundwalls, and structural measures to reduce the interior and exterior noise levels to an acceptable level.</p> <p>Noise-sensitive public projects, such as parks, also should be evaluated for noise impacts and developed accordingly, by locating less sensitive uses such as ballfields close to the noise source, and sensitive areas such as picnic grounds and children's play areas further from the noise source.</p>	
<p>7.4: Increased Traffic Noise for Existing Development</p> <p>Implementation of the proposed Plan Amendment could result in increased activity along local and arterial streets, which could adversely affect existing residents.</p>	S	<p>7.4: Noise Level Screening and Mitigation</p> <p>Incremental traffic generated by new development should be used as part of a screening analysis for proposed projects, to determine if the project will contribute a significant amount of traffic noise to the existing area. In cases where the screening analysis is inconclusive, field measurements along the roadways near individual development projects should be conducted. If it is determined that the proposed development would result in a substantial increase in</p>	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
		ambient noise levels along nearby roadways, it should be the responsibility of the City of Hayward and project applicants to identify and implement noise abatement measures which would effectively mitigate project-related noise effects on a site-specific basis. Such measures could include the installation of noise buffers (such as berms or sound walls) and increased setbacks for any sensitive receptors which may be proposed in the vicinity of such roadways.	
<p>7.5: Train Noise</p> <p>Existing and future residential development near the train tracks through the Amendment Area would be exposed to high noise levels, which can have a deleterious effect on property values, personal health, and enjoyment of the area.</p>	LS	<p>7.5: Noise Insulation Assistance</p> <p>The Redevelopment Agency should consider providing low interest loans and/or grants for the installation of feasible noise insulation in existing homes located along railroad alignments. The Agency could provide assistance for upgraded insulation for privately funded new construction. The City should ensure full compliance with the building code and other applicable regulations for new and rehabilitated housing that is developed as part of the Redevelopment Plan's required set-aside.</p>	LS
<p>7.6: Vibration</p> <p>Railroads, trucks, and buses may induce ground vibration in local areas within the Plan Area.</p>	S	<p>7.6: Engineered Foundations, Road Improvements</p> <p>New development near railroad rights of way</p>	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
		where vibration is suspected to be a problem should be evaluated for potential vibration impacts, and should be designed according to engineering recommendations, which may include excavation and compaction of soils, special foundation design, and structural design to reduce the vibration. The Redevelopment Agency should consider funding improvements where excessive vibration is found, possibly including assistance to private properties and/or improvements to railroad and roadway systems that may be the source of the vibration.	
AIR QUALITY			
8.1: Construction Emissions Dust and diesel exhaust generated by equipment and vehicles operating at development sites in the Amendment Area during construction could result in a temporary adverse impact on local air quality.	S	8.1: Site-Specific Dust Abatement Programs Each project applicant shall be required to comply with all applicable City regulations and operating procedures prior to issuance of building or grading permits, including standard dust control measures. The effective implementation of Dust Abatement Programs, incorporating the applicable dust control measures, would reduce the temporary air quality impact associated with construction dust:	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
		<p>All active construction areas shall be watered using equipment and staff provided by the project applicant or prime contractor as needed to avoid visible dust plumes. Appropriate non-toxic dust palliative or suppressant, added to water before application, may be used.</p> <p>All trucks hauling soil, sand and other loose materials shall be covered or shall maintain at least two feet of freeboard.</p> <p>All unpaved access roads, parking areas and construction staging areas shall be either paved, watered as necessary to avoid visible dust plumes, or subject to the application of (non-toxic) soil stabilizers.</p> <p>All paved access roads, parking areas and staging areas at the construction site shall be swept daily with water sweepers.</p> <p>If visible soil material is carried onto adjacent public streets, these streets shall be swept daily with water sweepers.</p> <p>All stockpiles of debris, soil, sand or other materials that can be blown by the wind shall either be covered or watered as necessary to avoid visible dust plumes.</p>	

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
		<p>An off-pavement speed limit of 15 miles per hour for all construction vehicles shall be incorporated into the construction contract and enforced by the prime contractor.</p> <p>All inactive portions of the project site (those areas which have been previously graded, but inactive for a period of ten days or more) shall be watered with an appropriate dust suppressant, covered or seeded.</p> <p>All earth-moving or other dust-producing activities shall be suspended when the above dust control measures prove ineffective in avoiding visible dust plumes during periods of high winds. The wind speed at which this suspension of activity will be required may vary, depending on the moisture conditions at the project site, but suspension of such activities shall be required in any case when the wind speed exceeds 25 miles per hour.</p> <p>Diesel powered equipment shall be maintained in good working condition, with manufacturer-recommended mufflers, filters, and other equipment, and shall not be left inactive and idling for more than ten minutes, and shall comply with applicable District rules.</p>	

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
GEOLOGY AND SOILS			
<p>9.1: Ground Surface Rupture or Creep Due to Faulting</p> <p>The ground surface along fault traces can be gradually offset (at a rate of one-half inch or so per year) due to creep along the fault, and can be suddenly offset (horizontally and/or vertically) up to several feet due to a major earthquake, which will damage roads and buildings and can break pipes or other underground utilities.</p>	S	<p>9.1: Site-Specific Trenching Studies</p> <p>New development, major rehabilitation projects and additions should continue to be required to comply with the regulations in force within the Alquist-Priolo (Earthquake Fault Hazard) Special Study Zone, which require that properties within the potential fault rupture hazard area be studied (usually by excavating a trench perpendicular to the suspected fault line), that the specific location of a fault trace be found or disproved for an individual property, and that habitable structures must be located a sufficient distance (usually 50 feet) from the trace to avoid direct impacts of surface fault rupture.</p>	LS
<p>9.2: Seismic Ground Shaking</p> <p>Strong and very strong ground shaking is expected to occur within the Redevelopment Area during the 45-year implementation period in the event of a major earthquake on the regional fault system, including the Hayward Fault. Such ground shaking is expected to cause severe damage to (or collapse of) buildings or other structures, and may result in significant economic loss and/or endanger the</p>	S	<p>9.2: Building Code Compliance & Education</p> <p>The effects of ground shaking on structures and other improvements which may be proposed under the Redevelopment Plan should be reduced by earthquake-resistant design in accordance with the latest editions of the Uniform Building Code and the California Building Code. The potential effects of ground shaking on <u>existing</u> structures should be</p>	SU

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
health and welfare of persons within the Plan Area.		<p>evaluated by engineering studies as part of any major rehabilitation or addition. Where studies indicate that buildings may be subject to significant damage during earthquakes, the structures can be retrofitted for seismic resistance.</p> <p>The Redevelopment Agency should provide funding for studies, design and/or construction activity needed to reduce earthquake hazards.</p> <p>The Redevelopment Agency should provide funding for educational programs to provide homeowners and community groups with additional resources to prepare for and respond to a major seismic event.</p>	
<p>9.3: Seismically-Induced Ground Failure</p> <p>Seismically-induced ground failures, which are secondary seismic effects related to soil, bedrock and groundwater conditions, could occur near buildings or other facilities, resulting in injury to persons and significant economic loss due to structural damage as a result of differential settlement, liquefaction, landslides, slumping, and subsidence.</p>	S	<p>9.3: Site-Specific Geotechnical Investigations</p> <p>Geotechnical evaluations should be required for developments proposed in areas suspected of having high or very high potential for seismically-induced ground failure. Common measures for mitigating these hazards include over-excavation and recompaction of foundation soils, densification of site soils, or providing a mat or other type of reinforced foundation, and avoiding landslide-prone areas</p>	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
		and areas with other severe constraints.	
<p>9.4: Expansive Soils</p> <p>The proposed Amendment Area includes a broad variety of soils types, some of which are highly susceptible to expansion, which may shrink or swell as a result of seasonal or human-made soil moisture content changes, which can damage structures and other improvements and utilities.</p>	S	<p>9.4: Soil Compaction and Amendment</p> <p>The expansion potential for any clayey materials encountered should be determined on a project-specific basis per ASTM D-4829, Standard Test Method for the Expansion Index of Soils. Highly expansive soils under new buildings and utilities should be removed or amended, and compacted to provide a stable foundation. Surface water should be drained away from the building to minimize the potential for shrink-swell action.</p> <p>To ensure uniform characteristics in areas of low strength soils, and to obviate any potential for differential settlements, site preparation (consisting of over excavation and recompaction of the near-surface soils) may be required prior to placement of new fills, pavements, slabs, and structures, subject to review during grading.</p>	LS
<p>9.5: Landslide Hazards</p> <p>Landsliding may occur in areas where slope gradients exceed 50 percent, or where grading associated with development will produce steep cut</p>	S	<p>9.5: Site-Specific Geotechnical Investigations</p> <p>Because of the potential for landsliding or soil creep on steep slopes, a geologic evaluation by a registered geologist shall be prepared for any</p>	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
or fill slopes and/or undermine adjacent hillsides. Slopes between 30 percent gradient and 50 percent gradient underlain by cohesionless soils (sand) may experience differential settlement or downslope creep.		development planned within 200 feet of areas greater than 50 percent slope as shown on USGS topographic maps. Any structures situated on slopes greater than 30 percent gradient should incorporate geotechnical recommendations regarding foundations, retaining walls, and grading limitations derived from a site-specific geotechnical investigation.	
<p>9.6: Soil Erosion Due to Wind and Water</p> <p>The development of relatively undisturbed portions of the proposed Amendment Area and the redevelopment of hillside urban areas would remove vegetation and disrupt the soil surface horizon in areas where soils may be susceptible to wind and water erosion. Sediment blown from exposed soils could damage other structures and vegetation, and would be a nuisance or hazard if it accumulates in adjacent areas and storm drainage systems. Removal of soils by wind or water can also undermine buildings, roads, and other development, resulting in significant economic loss.</p>	S	<p>9.6: Erosion Control Measures</p> <p>During construction, efforts should be made to keep the disturbance of existing vegetation to a minimum. This can be accomplished primarily by keeping construction machinery off of established vegetation as much as possible, especially on the upwind side of the construction site. Specific access routes should be established at the planning phase of the projects, and limits of grading established prior to development should be strictly observed. In addition, mechanical measures, such as silt fences and straw bales, should be used to reduce soil movement, in accordance with Best Management Practices.</p>	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
HYDROLOGY AND WATER QUALITY			
<p>10.1: Construction-Related Water Quality Impacts</p> <p>Development anticipated under the proposed Plan Amendment could entail construction activity which could be expected to have short-term, temporary adverse effects on local water quality, such as from erosion and siltation, illicit disposal of debris, and wash water from construction vehicles and equipment.</p>	S	<p>10.1: Erosion Control Plans/Grading Limitations/Construction Practices</p> <p>Detailed plans for erosion and sediment control during and after construction should be prepared by development project proponents and approved by the City of Hayward prior to the issuance of a grading permit for any proposed development project. Such plans should include a schedule for the construction of erosion and sediment control structures which ensure that all erosion control will be in place by a specified time before construction begins.</p> <p>Grading should neither be initiated nor continued during the winter rain period between October 30th and April 15th unless approved by the Director of Public Works based on evidence of an effective erosion control plan.</p> <p>Grading and building permits should include requirements that Best Management Practices be adhered to. The Redevelopment Agency should consider funding with additional</p>	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
		education and enforcement actions to preserve and enhance the economic and physical conditions in the Amendment Area through better construction management.	
<p>10.2: Modified Drainage Patterns</p> <p>Development anticipated under the Plan Amendment would be expected to result in localized modifications in existing drainage patterns, and an increase in the amount of stormwater runoff.</p>	S	<p>10.2: Stormwater Evaluations/Remediation</p> <p>Major development projects should provide a storm drainage report including calculations of hydrology and hydraulics to determine adequacy of both privately- and publicly-managed systems to accept the increased runoff. Site-specific mitigation measures may be required to upgrade the City and / or County flood control system, if necessary.</p> <p>Storm drainage calculations should be required for all storm drains and overland flows. Drainageshed maps should be included that show all upstream acreages and run-off coefficients for each tributary area. Overland flow paths and site release points should be clearly identified.</p> <p>The on-site drainage facilities, such as catch basins and storm drain pipes, should be designed to convey runoff from a 10-year frequency storm.</p>	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
		<p>Project applicants should pay planned drainage fees in accordance with City and County ordinances.</p> <p>Plans for development projects should identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to effectively prohibit the discharge of pollutants with storm water run-off.</p>	
<p>10.3: Flood Hazards</p> <p>Existing development and vacant properties near Industrial Parkway in the proposed Amendment Area could be inundated by flood waters, presenting a hazard to persons and property.</p>	S	<p>10.3: Flood Hazard Reduction</p> <p>The Redevelopment Agency should work in cooperation with other agencies such as FEMA and the Alameda County Flood Control District to prepare plans and develop projects that will alleviate potential flooding in the proposed Amendment Area.</p> <p>The Redevelopment Agency should consider providing grants and loans to property owners to mitigate flood hazards for existing development in the Amendment Area.</p> <p>The City should require all new development in the areas presently mapped as potentially subject to flooding in the 100-year event to provide evidence of sufficient flood control</p>	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
		protection and compliance with applicable regulations of the Alameda County Flood Control District and FEMA.	
BIOLOGICAL RESOURCES			
<p>11.1: Special Status Species and Associated Habitats</p> <p>Public and private development activities in the Amendment Area could result in the reduction of habitat and direct removal of special status plant and/or animal species, including fish, insects and invertebrates, which have previously been unidentified at land and/or water areas.</p>	S	<p>11.1: Project-Specific Field Surveys</p> <p>Development of undisturbed portions of public and private project sites should be subject to sensitivity analyses, field surveys and mitigation (as required), conducted by qualified professionals according to established protocols in consultation with the appropriate regulatory agencies. Particular areas to evaluate include waterways, relatively undisturbed urban land, and vegetative cover along waterways.</p>	LS
<p>11.2: Damage to Riparian Habitat</p> <p>Some portions of the Amendment Area which may be developed as part of public and private actions in furtherance of redevelopment may be adjacent to creeks which provide riparian habitat values. Development of such sites may have the potential to damage sensitive riparian habitat areas.</p>	S	<p>11.2: Site-Specific Evaluation/Setback Requirements</p> <p>Where development is proposed at sites within the Amendment Area adjacent to natural channel creeks, the potential effects of the proposed development on riparian habitat should be evaluated as part of the use permit, building permit, or other approval process to determine the potential site-specific impacts associated with such development. All such</p>	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
		development should be required to comply with the City's setback provisions, and to enter into a Streambed Alteration Agreement with the California Department of Fish and Game (if required).	
<p>11.3: Wetlands</p> <p>Public and private development projects as a result of redevelopment could have an adverse effect on wetland areas, as noted above for habitat and riparian areas.</p>	S	<p>11.3: Surveys, Permits and Mitigation</p> <p>See Mitigation Measures 11.1 and 11.2, above.</p>	LS
PUBLIC SERVICES AND UTILITIES			
<p>12.1: Physical Effects Associated with School Construction</p> <p>New development anticipated under the proposed Plan Amendment would result in an increased demand for school facilities within and near the Amendment Area. The Amendment also could have various community-wide effects that could have an impact on school sites, such as increased traffic, noise, and general hazards described elsewhere in this EIR. The increase in demand would be met by the responsible school district through the construction of new school facilities (most likely by adding structures on existing school</p>	S	<p>12.1: Site-Specific Analysis & Mitigation</p> <p>School districts should plan and construct new facilities based on long-range planning and growth projections, and according to State land use and environmental law using statutorily established funding mechanisms.</p>	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
grounds) which, depending on the characteristics of each proposed facility and site, could result in adverse physical effects on the environment.			
<p>12.2: Physical Effects Associated with Parks and Recreational Facilities</p> <p>Development anticipated under the proposed Redevelopment Plan Amendment would result in an increased demand for parks, recreational facilities and open space within and near the Amendment Area. This increase in demand could be met through the construction of new parks and recreational facilities (or the expansion of existing recreational facilities) which, depending on the characteristics of each proposed facility and site, could result in adverse physical effects on the environment.</p>	S	<p>12.2a: Site-Specific Analysis & Mitigation</p> <p>Lead Agencies, including HARD and EBRPD, should conduct appropriate planning and environmental studies for the acquisition, construction and operation of new parks and recreational facilities (or the expansion of existing recreational facilities) to meet an increased demand for such facilities, consistent with State law.</p> <p>12.2b: Facility Development as Part of Other Projects</p> <p>Large development projects and public projects such as roadway improvements should be coordinated with HARD to determine if it is feasible to incorporate park and recreation facilities. Private land dedications may be credited against the standard impact fees, public roadway projects may be jointly funded by the City and HARD, or facilities may be provided in other ways that meet the trail, parkland, and recreation facility needs of the</p>	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
		Area.	
<p>12.3: Hazardous Materials and Water Service Infrastructure Construction</p> <p>Extensive areas in the proposed Amendment Area have been identified as having potentially contaminated or hazardous soil due to historic or current land use activity. The presence of these materials could pose a significant threat to construction crews and/or future water service customers.</p>	S	<p>12.3: Site-Specific Excavation Investigations</p> <p>For projects within the EBMUD service area, water utility construction would invoke the EBMUD's Field Management Practice for Trench Spoils, requiring a site-specific investigation of excavations proposed within a project area that falls within industrial zone boundaries. There may be specific parcels where historic contamination has occurred (i.e., gas stations with underground storage tank leaks). These sites will require case by case review prior to water utility installation. Similar measures would be required for City Water System activity.</p>	LS
HAZARDS AND HAZARDOUS MATERIALS			
<p>13.1: Increased Exposure to Existing Sources of Hazardous Materials</p> <p>As new or more intensive residential uses are introduced near existing commercial activities (which may be non-conforming but are capable of continuing operation for some time as pre-existing uses), then additional residents could be exposed to hazardous materials that are in storage, use, or</p>	S	<p>13.1: Code Enforcement / Use Permit Review</p> <p>The City should review sites listed pursuant to Government Code section 65962.5 for proper use permits and other regulatory compliance, and undertake code enforcement as necessary to ensure the safety of existing and new development. Existing land uses that pose potential threats to the health and safety of</p>	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
disposal.		neighboring uses should be scrutinized as part of the Conditional Use Permit review and renewal procedure, and should be conditioned to ensure full compliance with the law. The Redevelopment Agency may also provide funding for business improvements or relocation. New and rehabilitated residential and similar development, regardless of General Plan land use designations, should be scrutinized for possible exposure to hazardous materials, and should be sited and designed accordingly.	
<p>13.2: Lead Poisoning/Asbestos Exposure</p> <p>Redevelopment activity, including renovation and demolition of existing structures, could expose sensitive receptors, especially children, to lead and asbestos poisoning.</p>	S	<p>13.2: Lead Poisoning Prevention / Asbestos Control</p> <p>The Redevelopment Agency should consider assisting in funding additional cleanup information and programs for lead and asbestos, particularly in areas that are targeted for residential improvements. Any project that obtains City funding should be required to comply fully with the law regarding lead abatement and asbestos control.</p>	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
CULTURAL RESOURCES			
<p>14.1: Alteration or Demolition of Historic Properties and Features</p> <p>Implementation of the proposed Plan Amendment could result in the alteration of historical resources which have not yet been surveyed or formally protected.</p>	S	<p>14.1: Site-Specific Historic Surveys</p> <p>Where demolition, destruction, relocation or alteration of structures built 50 or more years ago has been proposed at a specific site, the City should require an appropriate architectural/historic survey to determine whether the structures in question would be eligible for listing as historic resources under the current Federal, State and local criteria. These surveys should be completed and reviewed by the City prior to the issuance of any demolition permit for sites within the Amendment Area. If a survey indicates that structures which have been proposed for demolition, destruction, relocation or alteration may meet the criteria for listing as historic resources, then the City should require the implementation of appropriate site-specific mitigation measures which would enable the proposed development of the specific site to proceed without jeopardizing the eligibility of those structures, may deny the project on the basis of significant impacts, and/or may require preparation of subsequent environmental review to provide full disclosure to the public</p>	<p>LS for many projects</p> <p>SU for some situations</p>

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
CULTURAL RESOURCES			
<p>14.1: Alteration or Demolition of Historic Properties and Features</p> <p>Implementation of the proposed Plan Amendment could result in the alteration of historical resources which have not yet been surveyed or formally protected.</p>	S	<p>14.1: Site-Specific Historic Surveys</p> <p>Where demolition, destruction, relocation or alteration of structures built 50 or more years ago has been proposed at a specific site, the City should require an appropriate architectural/historic survey to determine whether the structures in question would be eligible for listing as historic resources under the current Federal, State and local criteria. These surveys should be completed and reviewed by the City prior to the issuance of any demolition permit for sites within the Amendment Area. If a survey indicates that structures which have been proposed for demolition, destruction, relocation or alteration may meet the criteria for listing as historic resources, then the City should require the implementation of appropriate site-specific mitigation measures which would enable the proposed development of the specific site to proceed without jeopardizing the eligibility of those structures, may deny the project on the basis of significant impacts, and/or may require preparation of subsequent environmental review to provide full disclosure to the public</p>	<p>LS for many projects</p> <p>SU for some situations</p>

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
		and decision-makers of the effect of approving a project. The Redevelopment Agency should also consider funding surveys in the Area to identify structures and sites that may warrant preservation so that projects can be designed accordingly, and should also consider funding rehabilitation projects for historic properties.	
<p>14.2: Possible Discovery of Archaeological Resources</p> <p>During construction that could occur as a result of implementing the Plan Amendment, archaeological resources may be uncovered and damaged if not properly recovered or preserved.</p>	S	<p>14.2: Halt Construction / Evaluate Find</p> <p>In the event that any archaeological resources are uncovered within the Amendment Area during future construction activity associated with the implementation of the Redevelopment Plan, there should be no further excavation or disturbance of the site or any nearby area until the find has been evaluated by a qualified archaeologist, and appropriate site-specific mitigation has been identified to protect, preserve, remove or restore the artifacts uncovered.</p>	LS
<p>14.3: Possible Discovery of Human Remains</p> <p>During construction which would take place during the implementation of the Plan Amendment, it is possible that archaeological human remains may be uncovered.</p>	S	<p>14.3: Halt Construction / Evaluate Remains</p> <p>In the event that any human remains are uncovered within the Amendment Area during future construction activity associated with the implementation of the Plan Amendment, there should be no further excavation or disturbance</p>	LS

SUMMARY

Potential Environmental Impacts	Significance Before Mitigation	Recommended Mitigation Measures	Significance After Mitigation
		of the site or any nearby area until after the Alameda County Coroner has been informed and has determined that no investigation of the cause of death is required or such investigation has occurred and appropriate actions have been taken, and (if the remains are determined to be of Native American origin) the descendants from the deceased Native American(s) have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.	

C. ALTERNATIVES

This EIR evaluates three alternatives to the proposed Amendment. Each is intended to address a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the project objectives. The EIR assesses the relative environmental impacts and benefits of each alternative, compared to the proposed Amendment. It should be noted that an EIR need not consider every conceivable alternative, but a reasonable range that will foster informed decision-making and public participation, and which are feasible.

City of Hayward staff have determined that the alternatives discussed in this EIR represent the feasible, reasonable alternatives necessary to fulfill the goals of CEQA. The EIR provides sufficient information to make a meaningful evaluation, but the discussion of alternatives is necessarily less detailed than for the proposed Plan. In addition to the following discussion, please see **Chapter 16** for a full description and analysis of the alternatives.

The **No Project** alternative would result in the continuation of the status quo. Under this scenario, incremental development would follow the market forces already at work in the communities, and no tax increment would be created to assist with public and private development and improvements. Existing general plan policies and land uses would continue, and private and public actions would continue along their present courses. However, redevelopment has been proposed precisely because the status quo condition is not desirable or environmentally sound. The City believes the proposed Amendment Area is predominantly urbanized and is subject to prevalent conditions of physical and economic blight, which are injurious to the area and cannot be remedied by private (market-driven), public (government intervention), or the combination of the public and private, actions without redevelopment. Environmental effects of redevelopment are largely mitigable and are common to any development plan, so the No Project alternative would not necessarily reduce any environmental effects. In fact, the lack of redevelopment could lead to a continued deterioration of the area, which could adversely affect the environment.

The **Reduced Amendment Area** alternative would include fewer properties in the Amendment Area. Such a reduced area would remove the northern gateway properties that are presently outside of the City limits from the Amendment boundaries. Although these areas are presently in the County's redevelopment project area, the City has proposed to include them in the Amendment Area boundaries based on a desire to obtain more control over the specific design and land use objectives of the City as they affect the character of this portion of the City and County.

The **Enlarged Amendment Area** alternative would include property along southern Mission Blvd. that is presently associated with the La Vista Quarry, which is presently outside of the City limits and recently permitted for activity through the year 2008. The City has designated the area for eventual re-use for residential development and open

space. The quarry operator and County have accepted this as a suitable approach to the reclamation plan, subject to additional study of site-specific design and environmental issues.

This EIR finds that, due to the generally urban and common characteristics of the areas, and the programmatic nature of many of the impacts of the Amendment and each alternative, no "environmentally superior" alternative can be identified.

D. CUMULATIVE IMPACTS

CEQA Guidelines

Cumulative impacts are defined by the CEQA Guidelines as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.... The individual effects may be changes resulting from a single project or a number of separate projects.... The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." (Section 15355)

The Guidelines also provide that a "project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative condition." "An EIR may determine that a project's contribution to a significant cumulative impact is *de minimus* and thus is not significant. A *de minimus* contribution means that the environmental conditions would essentially be the same whether or not the proposed project is implemented." (Excerpts from Section 15130 (a))

The CEQA Guidelines also provide as follows: "Previously approved land use documents such as general plans, specific plans, and local coastal plans may be used in cumulative impact analysis. A pertinent discussion of cumulative impacts contained in one or more previously certified EIRs may be incorporated by reference... No further cumulative impacts analysis is required when a project is consistent with a general, specific, master or comparable programmatic plan where the lead agency determines that the regional or areawide cumulative impacts of the proposed project have already been adequately addressed... in a certified EIR for that plan." (Section 15130 (d))

General Approach

The proposed Redevelopment Plan Amendment is by its character a cumulative-based endeavor. It is intended to guide the financing and construction of a wide variety of projects and programs in a large area over a long period of time. The progress made in

SUMMARY

implementing the Amendment would depend on the participation of the private sector, public sector, and combined efforts of the two under the authority of redevelopment law to alleviate the physical and economic effects of blight.

As each project is considered, or as each program is implemented, its effects will combine with the other projects and programs being undertaken in the Amendment Area, as well as with projects in neighboring areas that may or may not be under the control of the City of Hayward or the Redevelopment Agency.

However, within the Amendment Area and throughout the City, land use changes, infrastructure projects, design review, and other factors would be guided by the City's adopted General Plan, including various elements and special studies, and participation by the Agency would be governed by the terms of the proposed Amendment.

Incorporation by Reference

The assumptions used in this EIR are based on the City's current General Plan (including all of the adopted elements), as well as the applicable Neighborhood Plans, Landscape Beautification Plan, Design Guidelines, and previous Redevelopment Plans and Amendments. The EIR also is based on plans and programs of various service providers such as the Hayward Unified School District, Hayward Area Recreation and Park District, East Bay Regional Park District, Hayward Water System and Wastewater System, etc.

Not all of these plans have been the subject of an Environmental Impact Report, so they do not necessarily meet the test of the CEQA Guidelines as adequate substitute documents. However, these plans are illustrative of the comprehensive planning being done in the proposed Amendment Area and have been relied upon to forecast the cumulative conditions in the Area. The mitigating features of these plans were specifically identified in the topical analyses to illustrate the ways in which development in the Amendment Area would be conducted in a manner that minimizes environmental effects.

Specific documents used in the preparation of this EIR is referenced in **Chapter 17**. The findings and conclusions of those documents, to the extent they are relevant, have been summarized in the topical sections of this EIR and those documents are hereby incorporated by reference. Copies of the documents are available from the City of Hayward Planning Department and Redevelopment Agency, as well as from the various agencies responsible for their preparation and implementation.

Cumulative Effects

This EIR is programmatic in its analysis of the proposed Amendment's potential impacts because of this largely future-oriented, cumulative aspect of the Amendment. Individual projects would be subject to site-specific review to determine if they are within the scope of the analysis of this EIR, or require additional study due to substantial changes in project

scope from what was assumed in this EIR, substantial changes in circumstances, substantial new information, or other reasons according to the provisions of CEQA.

Specific topical sections (Chapters 4 through 15) of this Draft EIR provide an analysis of the existing conditions, projected environmental impacts, and mitigation measures to address those impacts, to the degree that impacts may be ascertained at this time. The environmental impacts are based on the assumption that the Amendment will result in the full realization of the adopted General Plan, including the land use patterns, circulation system, other infrastructure and services, and so forth. It is this full realization of the adopted General Plan that defines the cumulative condition for this EIR. The description of the City's General Plan buildout defines the possible range of development activities and priorities for public investment, and describes the level of change that is expected to occur assuming that the redevelopment effort is successful in attaining its goal of implementing the General Plan.

Similarly, the standards, procedures and requirements established by City policy provide a framework for understanding the mitigation measures that are "built in" to the City's existing development process and which would remain in effect for any activities pursuant to the General Plan. These policies are generally targeted at reducing cumulative impacts associated with buildout of the General Plan, and provide a coordinated framework for advancing the City's general welfare. Pursuant to these policies, projects within the Amendment Area would be required to pay the same fees as other development in the City. These include water and sewer service connections, permit fees, transportation mitigation, school impact fees, park dedication fees, and so forth. State law requires that development impact fees are proportional to the level of impact on services and facilities. Therefore, to the extent these fees are based on estimates of pro-rated impacts of cumulative growth and development, the Amendment would not have any unmitigated cumulative impacts on these services and facilities.

Specifically, the potential cumulative effects assessed in this EIR include:

Land Use. Cumulative land use and development within the general area will continue to be guided by the General Plans of the City of Hayward, the City of Union City and Alameda County. However, buildout of these General Plans may not be realized without the assistance of redevelopment, due to current economic circumstances (i.e., blight) that are currently hampering the economic growth of this area. To the extent that redevelopment activities can overcome these economic conditions, then it is more likely that full realization of these existing General Plans can be achieved. Within the general Project Area, a total of six (6) other redevelopment areas have been established (see **Figure 2.1**). On a cumulative basis, implementation of each of these redevelopment plans provide the opportunity to realize the full buildout potential of the General Plans for these areas which might not otherwise be achieved.

SUMMARY

Visual Quality. Cumulative growth and development within the City will, over time, alter the visual character of the community, and could potentially lead to obstruction of vistas and views to the Bay and the surrounding hillsides. However, all new development will continue to be subject to zoning, environmental and design review, and subdivision regulations that provide an opportunity for the City to ensure that cumulative development respect and preserve important scenic views and contribute in a positive manner to the character of the community. Effective implementation of these regulations and procedures on a site-by-site basis could reduce this cumulative impact to a less than significant level.

Transportation. Cumulative traffic impacts are based on the City's recently-adopted Circulation Element Update, which was also the subject of an Environmental Impact Report in 1998. This document found that cumulative traffic impacts (level of service "F") are projected to occur on numerous regionally significant roadway segments by year 2010. These cumulatively affected roadway segments include; a) I-580 east of Crow Canyon Road; b) SR 238 south of Harder Road; c) SR 92 between I-880 and Hesperian Boulevard; d) Tennyson Road east of I-880; e) A Street between Santa Clara and Meekland Avenue; and f) SR 238 (Foothill) south of Grove. Traffic and transit improvements incorporated into the Circulation Element have been found capable of reducing these cumulatively significant traffic impacts to levels of less than significant at all locations except:

- I-580 east of Crow Canyon Road,
- SR 92 between I-880 and Hesperian Boulevard, and
- Tennyson Road east of I-880.

Cumulative traffic impacts at these locations are projected to remain significant, adverse and unavoidable. However, traffic levels would not be substantially different with or without the proposed Plan Amendment considering the requirement for fair-share contributions toward mitigation and that the growth and development projected for the Redevelopment Area are included within the Circulation Element's build-out projections.

Noise. As cumulative traffic levels increase throughout the City and on regional roadways, cumulative traffic-related noise levels are also anticipated to increase. Such cumulative increases in traffic noise could affect existing and future sensitive receptors such as homes, schools and parks. Project-by-project review of new cumulative development proposals that are located along major roadways should be required pursuant to the City's noise ordinance to ascertain the need for noise abatement strategies (i.e., soundwalls, setbacks and structural measures).

Although mitigation measures identified in this EIR are expected to be sufficient to reduce construction noise impacts on an individual basis to a less than significant level, cumulative construction noise associated with new development and roadway improvement projects throughout the City may be significant and unavoidable.

Air Quality. The Air Quality chapter of this EIR provides a description of regional air quality planning and trends, and uses that information to determine that the Amendment would be consistent with the achievement of regional (cumulative) air quality goals. Based on the analysis of this EIR, the City would continue to be in compliance with the Clean Air Plan. Additionally, the transportation and air quality chapters of this EIR are closely related because of the effect traffic has on air pollution emissions. General Plan transit-related policies and implementation of Circulation Element transit and roadway improvement projects would have a mitigating effect on cumulative traffic congestion as well as cumulative air pollution.

Geology and Soils. Cumulative effects related to geological hazards could occur at nearly any site within the Amendment Area. This EIR provides a general assessment of these cumulative hazards and recommends mitigation measures of a general nature that may be equally applicable throughout the City, depending on the site-specific conditions that are discovered at the time a permit is sought or a program is implemented. Pursuant to existing laws and regulations, all cumulative development would remain subject to the provisions of the Uniform Building Code and Alquist-Priolo Seismic Hazards Mapping Act to address geologic hazards.

Biology. On a cumulative basis, new development along existing creeks could have significant effects on riparian corridors and wetland habitat. However, project-by-project implementation of mitigation measures that are designed to insure no net loss of such habitat areas can reduce such cumulative impacts to levels of less than cumulatively significant.

Public Services and Utilities. Cumulative growth in employment and housing will increase the burden on public facilities and services. However, implementation of existing fair-share funding strategies (i.e., park dedication fees, water and sewer connection fees, school impact fees, etc.) can ensure that all new cumulative development provide mitigation for its direct impact on these services and facilities. On a project-by project basis these cumulative impacts can be reduced to levels of less than cumulatively considerable and thus less than significant.

Hazardous Materials. Cumulative growth and development throughout the City could result in more intensive use of properties that are adjacent to sites that use, store or dispose of hazardous materials. However, part of this cumulative development is anticipated to include reuse of existing "brownfields" (i.e., abandoned or underutilized properties). The reuse and intensification of these "brownfields" creates greater opportunities for the remediation and clean-up of potentially hazardous materials that may be present. It also creates an economic climate whereby it becomes more economically viable to clean up other nearby sites for similar reuse opportunities.

Cultural and Historic Resources. Cumulative development and particularly redevelopment activities could potentially result in the removal, alteration or demolition of existing

historical structures and other cultural/historic resources. Although the Redevelopment Plan recommends preservation of historic resources, in part because such resources can enhance the areas economic viability, it is likely that redevelopment and cumulative development activities will result in a cumulative loss of historic resources. To the extent that Redevelopment funds may be used for historic surveys and rehabilitation projects, such efforts could potentially offset the cumulative loss of certain other historic resources.

Population, Housing and Employment. Cumulative growth and development is projected to remain consistent with City-wide and regional trends. These population, housing and employment trends are consistent with those contained within the current General Plan. However, these current trends have been shown to be dampening the economic and physical conditions of the area compared to other areas of the City and region, such that redevelopment is warranted. Compliance with land use designations and zoning would remain a basic requirement for all cumulative development, and would ensure consistency with General Plan growth and development projections.

Generally, this EIR determines that the environmental impacts of the proposed Amendment would not be substantially different from conditions without the project. As a basis for comparison, the EIR provides a discussion of the No Project alternative, which compares conditions with the Amendment to conditions that would be expected without it. Although the Amendment is intended to improve economic and physical conditions in the area, those changes would not necessarily lead to significant environmental impacts that would be significantly different from conditions as they presently exist or from trends already in motion. Given this conclusion, although buildout of the City General Plan may result in certain cumulatively significant environmental effects, the Amendment's contribution to these effects would generally be considered *de minimus* or insignificant.

E. GROWTH INDUCEMENT

The proposed Amendment, if successful in encouraging the implementation of the land use designations contained in the General Plan, would result in growth in residential and retail services, while simultaneously resulting in a reduction in office commercial and industrial development. This pattern of growth would be induced by the economic and physical blight elimination programs of the Plan, which would be based on a renewed level of public-private cooperation to address issues that cannot otherwise be alleviated.

The gradual transition of land uses and intensification of activity is a desired result of the Plan, for the benefit of property owners through increased values, for business owners through increased revenues and profit, and for residents through improved living conditions. Additional employment opportunities and personal income may also alleviate some of the effects of overcrowding and overpayment for housing in the area.

The infrastructure projects that may be undertaken in the Plan Area would facilitate this increased development, but the Redevelopment Plan Amendment is intended primarily to address existing shortcomings in the area that are a hindrance to the economic and physical health of the area.

F. UNAVOIDABLE AND IRREVERSIBLE IMPACTS

As shown in the Summary table above, several impacts of the proposed Amendment may be significant and unavoidable. This EIR takes a conservative approach and considers these impacts potentially significant, and possibly unavoidable, because the programmatic character of the Plan Amendment and the analytical limitations of this Program EIR cannot determine with certainty that impacts would be mitigated in each case.

However, the EIR provides mitigation measure recommendations that are intended to address these impacts and may reduce the impact to a level of less-than-significant in most cases. The Agency is required to review components of the Amendment as they are more defined and are considered for implementation, and to determine if they are consistent with the project description in this EIR, the baseline information available at this time, the impact assessment provided in this EIR, and the mitigation measures and alternatives available for reducing or avoiding the project's impacts. Subsequent environmental review may be required in cases where there is a substantial change in the project, a substantial change in circumstances, or significant new information that would require substantial revision of the findings of this EIR.

Impact 5.3, Light and Glare, is an impact that is likely to occur as more intensive development occurs and additional lighting is provided, for businesses, homes, and along streets. In most cases, proper design of the project and shielding between uses would reduce this impact, but there remains the possibility that incompatible uses will remain in place for some time and that development patterns and overall urban lighting levels will interfere with the enjoyment of some properties.

Impact 6.1, Regional Traffic Growth and Roadway Congestion, is likely to remain significant after the implementation of reasonably foreseeable mitigation measures funded as part of regional efforts to improve the overall transportation system. The Amendment would allow the Redevelopment Agency to provide additional resources for the design and construction of capital roadway, transit, bicycle and pedestrian facilities, but the overall growth trends in the region and the limited land area and capital resources are likely to result in on-going traffic congestion on several roadways in the Amendment Area.

Impact 7.1, Construction Noise, may be unavoidable as a short-term effect that could interfere with the comfort or convenience of nearby sensitive receptors.

Impact 9.2, Seismic Ground Shaking, is an unavoidable impact in the San Francisco Bay Area. Although projects would be required to avoid surface fault rupture hazards and comply with applicable building codes, and the Plan would likely improve conditions for many residents and businesses compared to existing conditions as a result of structural rehabilitation and replacement projects, the risk of damage and injury during a large seismic event is unavoidable.

Impact 14.1, Alteration or Demolition of Historic Properties and Features, could remain significant and unavoidable because the City does not have specific measures to prevent demolition prior to an evaluation for historical significance.

The Amendment to the Downtown Hayward Redevelopment Plan is being proposed, despite the potential for these unavoidable significant impacts, because the Agency believes the need for and benefits of redevelopment will provide material benefits to the residents, businesses, property owners, public agencies, and public in general that outweigh the environmental effects. Many of the effects are related to construction activity, and are therefore relatively temporary and are a normal part of any development, regardless of the presence of a redevelopment plan. The Plan Amendment would simply add an impetus to the construction, which is otherwise lagging compared to other areas of the City.

In addition, the implementation of redevelopment policies, programs and projects could alleviate some environmental effects that are otherwise not feasibly addressed by the private sector, public sector, or both, such as land use incompatibilities that create air pollution, noise, aesthetic and hazardous material risks; infrastructure shortcomings, poor building design and construction, and deteriorated conditions that may eventually put property and life at risk; and poor aesthetics that deteriorate from the quality of life.

G. AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

This EIR addresses the known areas of controversy and issues to be resolved through its topical assessment of existing conditions, potential impacts, and recommended mitigation measures, as well in the assessment of alternatives. Responses to the Agency's Notice of Preparation provided input on transportation, water and wastewater service, and historic resource issues that have been addressed in the EIR. Please see Chapters 4 through 16.

The proposed Amendment to the Downtown Hayward Redevelopment Plan has been prepared with substantial public input and technical analysis. The City believes that the draft Plan, as represented in the Preliminary Report, represents the most feasible project area and best approach to redevelopment in this area. The Redevelopment Agency will consider any differing perspectives when it reviews the Draft Plan and this EIR.

H. IMPACTS FOUND TO BE LESS THAN SIGNIFICANT

The Initial Study for the proposed Amendment to the Downtown Hayward Redevelopment Plan, published on September 1, 2000, identified several impacts that were less than significant and did not require further analysis. No conflicting evidence has been found during preparing the Draft EIR. The impact categories that were determined to be **less than significant** are:

- **Conflict with General Plan or Zoning.** The Amendment would be, by definition, consistent with the General Plan due to the terms of the Amendment ordinance. Zoning designations are similarly, by definition, required to be consistent with the General Plan. Areas that are currently outside the City limits are presently governed by the County's General Plan and zoning, but would become subject to the City General Plan and rezoning if they are annexed to the City, so any inconsistencies between the City and County regulations would be resolved in favor of the City, and the Amendment would remain consistent with the City's Plans.
- **Affect on Agricultural Resources.** The Amendment Area is completely urbanized. The City uses the Agricultural zoning designation on properties in the area only as a "holding zone" pending some other use such as the planned Route 238 project, or for open space under power transmission lines. Some open land is present near the Amendment Area on hillsides to the east, which may be used for occasional grazing, but these areas would not be affected by the activities in the area because the urban activities would remain inside the urban designated districts and would not impede continued grazing activities.
- **Seiche, Tsunami, or Volcanic Hazard.** The Amendment Area is not located in an area subject to water-based hazards that could potentially be induced by earthquakes, nor are any active volcanoes located in the region, so no impacts would occur.
- **Unique Geologic or Physical Features.** No unique features, such as rock outcroppings or caves, are present in the Amendment Area.
- **Changes in the Amount, Currents and Course of Surface Water, or Change in the Quantity, Direction, Quality, or Amount of Groundwater.** No major water courses are present in the Amendment Area due to culverting and flood control projects that have contained surface water bodies and convey surface water to the Bay as storm discharge. Development projects would not involve major excavations or development on hillsides that could intercept groundwater aquifers, and no direct additions or withdrawals from the groundwater basin would be required to serve the project. The City's emergency water supply from several wells would be unaffected, and water demand would not increase to the degree that additional water sources would be required. Groundwater quality could be improved by the closure and clean-up of sites that are presently contaminating the groundwater in the area, as described in Chapter 13. This would be a beneficial effect.

- **Alteration of Air Movement, Moisture, Temperature or Climate.** The proposed Amendment could lead to the construction of several hundred thousand square feet of commercial development, and several hundred housing units. Additional public works projects could occur, and general economic vitality may lead to more traffic and stationary sources of air pollutant emissions. All of these impacts are addressed in Chapter 8 of this EIR. However, the types of projects and activities that could occur would not be of a type or scale that could affect the gross movement, moisture, temperature, or climate of the area.
- **Conflict with Adopted Energy Conservation Plans.** Projects within the Amendment Area would be required to comply with adopted energy conservation measures established by State law as part of any building permits.
- **Affect a Scenic Vista or Highway.** There are no designated scenic roadways or highways that pass through or near the Amendment Area. One of the objectives of the Amendment is to improve the aesthetics of the area through landscaping, facade improvements, code enforcement, infrastructure projects, and general alleviation of blighting influences that are often perceived through physical signs such as deteriorated buildings, graffiti, underutilized land, or uncoordinated development.